the transmitter within three minutes of the last transmission. Licensees may operate without these requirements if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. However, licensees may choose to set their own time limitations. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary, and the new licensee does not agree, the new licensee may request the co-channel licensees to reconsider the use of monitoring equipment. If the new licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission.

[47 FR 17520, Apr. 23, 1982, as amended at 48 FR 29518, June 27, 1983; 50 FR 15153, Apr. 17, 1985; 58 FR 44961, Aug. 25, 1993; 59 FR 59966, Nov. 21, 1994; 61 FR 6576, Feb. 21, 1996]

Subpart P—Paging Operations

§90.490 One-way paging operations in the private services.

(a) Subject to specific prohibition or restriction by rule provisions governing the radio service in which a licensee's radio system is authorized, paging operations are permitted:

(1) Where the signals and messages are transmitted by a control operator of the licensee stationed at a licensed control point in the licensee's system of communication.

(2) Where the signals and messages are transmitted from an operating position within an internal system of communication which meets the tests of §§90.471 through 90.475.

(3) Where the signals and messages are transmitted from a dispatch point within the licensee's system of communication, as defined as §90.7.

(b) Systems employing dial-up circuits (§90.461(c)) may be used in one-way paging operations, but only where the paging signals are transmitted as provided at paragraph (a)(1) of this section.

(c) Paging may be initiated directly from telephone positions in the public switched telephone network. When land stations are multiple licensed or otherwise shared by authorized users, arrangements for the telephone service must be made with a duly authorized carrier by users, licensees, or their authorized agents on a non-profit, cost-shared basis. When telephone service costs are shared, at least one licensee participating in the cost sharing arrangements must maintain cost sharing records and the costs must be distributed at least once a year. Licensees, users, or their authorized agents may also make joint use arrangements with a duly authorized carrier and arrange that each licensee or user pay the carrier directly for the licensee's or user's share of the joint use of the shared telephone service. A report of the cost distribution must be placed in the licensee's station records and made available to participants in the sharing arrangement and the Commission upon request. In all cases, arrangements with the duly authorized carrier must disclose the number of licensees and users and the nature of the use.

[47 FR 39509, Sept. 8, 1982, as amended at 48 FR 56231, Dec. 20, 1983; 52 FR 15501, Apr. 29, 1987]

§90.492 One way paging operations in the 806–824/851–869 MHz and 896–901/935–940 MHz bands.

Paging operations are permitted in these bands only in accordance with §§90.645(e) and (f).

[54 FR 4030, Jan. 27, 1989]

§90.494 One-way paging operations in the 929–930 MHz band.

(a) The following frequencies are available to all eligible part 90 users for one-way paging systems on an exclusive basis as provided under §90.495:

929.0125, 929.1125, 929.1375, 929.1875, 929.2125, 929.2375, 929.2875, 929.3125, 929.3375, 929.3625, 929.3875, 929.4125, 929.4375, 929.4625, 929.4875, 929.5125, 929.5375, 929.5625, 929.5875, 929.6125, 929.6375, 929.6625, 929.6875, 929.7125, 929.7375, 929.7625, 929.7875, 929.8125, 929.8375, 929.8625, 929.8875, 929.9125, 929.9375, 929.9625, 929.9875

(b) The following frequencies are available to all eligible part 90 users for one-way paging systems on a shared basis only and will not be assigned for the exclusive use of any licensee.

929.0375, 929.0625, 929.0875, 929.1625, 929.2625

(c) All frequencies listed in this section may be used to provide one-way paging communications to persons eligible for licensing under subpart B, C, D, or E of this part, representatives of Federal Government agencies, individuals, and foreign governments and their representatives. The provisions of §90.173(b) apply to all frequencies listed in this section.

(d) Licensees on these frequencies may utilize any type of paging operation desired (tone only, tone-voice, digital, tactile, optical readout, etc.).

(e) There shall be no minimum or maximum loading standards for these frequencies.

(f) Except as provided in paragraph (g) of this section, the effective radiated power and antenna height for base stations providing one-way paging service in the frequency band 929–930 MHz must not exceed 1 kilowatt (30 dBw) and 304 meters (1000 feet) above average terrain (AAT), or the equivalent thereof determined from the following table:

Antenna height (AAT) [meters/(feet)]	Effective radiated power (ERP) (watts)
Above 1357 (4500)	65
Above 1205 to 1357 (4000 to 4500)	70
Above 1056 to 1205 (3500 to 4000)	75
Above 904 to 1056 (3000 to 3500)	100
Above 762 to 904 (2500 to 3000)	140
Above 609 to 762 (2000 to 2500)	200
Above 457 to 609 (1500 to 2000)	350
Above 304 to 457 (1000 to 1500)	600

(g) Stations operating as part of regional or local systems under §90.495(a)(1) or (a)(2) may also operate sites within their existing service area at a maximum effective radiated power of 3500 watts, provided that such an increase in power does not expand the licensee's service-area contour, and the requirements of §90.495(b)(2) are met as to any co-channel system that has pre-existing exclusivity rights.

[58 FR 62291, Nov. 26, 1993, as amended at 59 FR 59966, Nov. 21, 1994; 61 FR 8483, Mar. 5, 1996]

§90.495 Channel exclusivity for local, regional, and national paging systems.

(a)(1) Applicants for commercial or non-commercial private paging stations in the 929–930 MHz band are eligible for channel exclusivity based on the minimum separation standards provided in this section. To qualify for exclusivity, applicants must construct and operate a local, regional, or nationwide paging system that conforms to the following criteria:

(i) A local system must consist of at least six contiguous transmitters, except in the New York, Los Angeles, and Chicago markets, as defined in §90.741, where 18 contiguous transmitters are required. For purposes of this section, transmitters will be considered contiguous if:

(A) Each transmitter is located within 25 miles (40 kilometers) of at least one other transmitter in the system;

(B) The combined areas defined by a 12.5 mile radius around each transmitter form a single contiguous area; and

(C) No transmitter is co-located with any other transmitter being counted as part of a local system for purposes of this section.

(ii) Transmitters will be considered co-located for purposes of this section if they are situated on a common antenna, building, antenna farm, or similar facility.

(2) A regional system must consist of 70 or more transmitters, not necessarily contiguous as defined in paragraph (a)(1)(i) of this section, located in no more than twelve adjacent states in the continental United States. In each of the top thirty markets listed in §90.741, no transmitter may be counted as part of a regional system under this paragraph unless it would also qualify